NOVA SCOTIA

Environment and Labour

OCCUPATIONAL HEALTH AND SAFETY DIVISION

ANNUAL REPORT

For the year April 1, 2004 to March 31, 2005

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Executive Summary and Highlights

This fiscal year 2004/2005 annual report for the Occupational Health and Safety Division of the Nova Scotia Department of Labour is the first report that follows a new format. Developed in response to Advisory Council input and Divisional research, the report is much shorter than previous Divisional annual reports and focuses on major issues. More detailed information that was found in previous annual reports may now be found in a separate "Statistical Summary of Occupational Health and Safety Division Operations for the Period April 1, 2004 to March 31, 2005".

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The highlights of the Division's operations in 2004/2005 include:

1. Although no law reform proposals were completed in 2004/2005, the Division worked on revisions to the Fall Protection and Scaffolding Regulations and on proposals for new regulations related to occupational diving, liquified natural gas and onshore drilling for oil and gas.

   The Division also contributed to review of all outstanding regulatory proposals. This review, overseen by the Deputy Minister, will be completed in 2005/2006.

2. The Division continued its high scores in client satisfaction in the areas of the E-mail question service, the publication mail-out and the Minding Your Business seminars.

3. The Division staff performed 3976 activities in 2005/2006. This is the highest since 2001/2002. The increase is mainly found in targeted inspections, incident investigations and re-inspections. The number of general, untargeted inspections dropped to a 5 year low.

   The number of orders issued was essentially the same as the number issued in 2003/2004.

   The construction sector continued to have the largest number of activities of any industry sector. This is driven largely by complaints (the construction industry represents almost 42% of all complaints, continuing a 5 year trend).

4. The loss time claim rate continues to decline. However, the rate of decline is less than

that of other jurisdictions.

5. The WSIS agencies continued to develop initiatives and consult with stakeholders.

Introduction

This is the report from the Occupational Health and Safety Division to the Occupational Health and Safety Advisory Council for the period April 1, 2004 to March 31, 2005. These reports are submitted annually in accordance with clause 9(f) of the Occupational Health and Safety Act to report on a review of this Act.

This format of this report is more concise than previous annual reports. This new format is in line with comments from the Advisory Council which requested a more focussed and easy to use report. It is noted that, while it has been removed from this format, much of the detail from previous annual reports is still available in a separate Statistical Summary.

In addition to a review of the Act, this report also addresses proposed requirements for the Division to report to the Deputy Minister of Environment and Labour on compliance with this Act.[1]

This report discusses the operations of the Occupational Health and Safety Division and may form part of a review of the state of occupational health and safety in Nova Scotia. However, in itself, this report does not constitute such a review. The Division alone does not have the data or resources to undertake such a broad scope review.

Where injury data is presented, the Division is not the sole source of the data. Thus, the Division cannot answer in detail as to the origins, source, quality or trends of the data. If such information is required, the reader is encouraged to contact the organizations from which the data came.

This report is divided into four basic areas:

- Review of the Occupational Health and Safety Act and associated regulations
- Review of compliance with the Occupational Health and Safety Act and associated regulations
- Reviews of Divisional Operations
- Other Items Included as Information.

In this document, the following short forms are used:

"Act" means the Occupational Health and Safety Act
"Advisory Council" means the Occupational Health and Safety Advisory Council
"Division" means the Occupational Health and Safety Division of the Nova Scotia Department of Environment and Labour

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[1] See Bill No. 20 (1st Session, 59th General Assembly, Nova Scotia, 52 Elizabeth II, 2003) - Workers' Compensation Act (amended) for details of the proposed requirements.

"HRSD" means Human Resources and Skills Development Canada - Labour Program (Occupational Safety and Health).
"IRS" means the internal responsibility system
"OH&S" means occupational health and safety
"SIC" means the Standard Industrial Classification - a number assigned to companies within the same industry
"WCB" means the Workers' Compensation Board of Nova Scotia
"WSIS" means the Workplace Safety and Insurance System, composed of the Division, the WCB, the Workers' Compensation Appeal Tribunal, the Workers' Advisers Program and, participating as appropriate, HRSD.

Division Mandate, Objectives and Organization

The Department of Environment and Labour consists of:

- Occupational Health and Safety Division
- Alcohol and Gaming Authority
- Environmental Monitoring & Compliance
- Environmental and Natural Areas Management
- Financial Institutions
- Labour Services
- Labour Standards
- Pension Regulation
- Public Safety/Office of the Fire Marshal
- Workers' Advisers Program
- Communications
- Information and Business Services
- Policy
- Agencies, Boards, Commissions, Tribunals, Councils and Round Tables.

The mission of the Department of Environment and Labour is to protect and promote:

- the safety of people and property;
- a healthy environment;
- employment rights;
- the interests of financial services consumers and pension plan members; and
- consumer interests and public confidence in alcohol and gaming services sectors.

The Division operates within the Department of Environment and Labour. The Division's Mission Statement and Objectives, within the context of WSIS, are:

To establish and enforce clear standards to reduce occupational injury and illness.

The objectives of the Division are to:

- together with our partners, reduce the incidence of injury and illness of employees;
- improve the understanding of occupational health and safety standards by all workplace parties;
- improve health and safety conditions in the workplace by means of research, inspection, investigation and enforcement of legislation.

Specifically, the Division will:

- support and encourage the use of the IRS;
- deliver a program aimed at improving the understanding of OH&S standards by all workplace parties;
- develop regulatory management practices which follow best practices and focus on

continuous improvement, in consultation with stakeholders;

- develop and implement targeted and risk-based models for delivery of occupational health and safety services;
- prepare and maintain statistics and information related to occupational health and safety;
- develop revisions to OH&S laws and policies;
- support research in matters related to OH&S;
- publish reports, studies and recommendations;
- support the tripartite system of employers, employees and government sharing in decision making as it affects occupational health and safety;
- administer consistently with all clients all health and safety-related acts and regulations.

Appendix A gives an organizational chart for the Division.

Review of the Occupational Health and Safety Act

This review of the Occupational Health and Safety Act encompasses two areas:

- court or appeal panel decisions that have implications for the enforceability or interpretation of the Act
- legislation and regulation creation or review activity.

A review of the number and subject of orders issued pursuant to the Act or regulations is given in the Divisional Activity section later in this report.

Court or Appeal Panel Decisions:

Provincial Court of Nova Scotia

R. v. Ausman William Murphy (May 12, 2004) (NS Prov Ct) - The defendant was charged under section 13 of the Act in relation to a fatal diving accident. The court held that the victim was "the author of his own misfortune", and "to hold the defendant or any other of his co-fishers responsible...would be to arrogate to them a degree of control they simply did not possess." In obiter dictum, the judge advised the legislature that if it intends to include fishers as employers or employees under the OH&S Act, it should do so specifically and inform the industry in advance of that change in policy.

R. v. Meridian Construction Inc. (October 18, 2004) - The defendant was charged in relation to the death of a worker, who suffered fatal injuries after falling through a skylight opening. Meridian was fined $77,000 + 11,550 (V.F.S.) plus a payment to the education fund of $10,000 (for a total of $99,550). This is the second largest penalty under the NS OH&S Act relation to a death of a worker.

Ontario Court of Justice

R. v. Fantini (March 3, 2005) - "Bill C-45" case - Newmarket, Ontario. A supervisor was charged under the new "C-45" provisions of the Criminal Code in relation to the death of an employee in a trenching accident. The charge was later withdrawn by the Crown. Reasons: his age; no prior h&s convictions; and he pleaded guilty and received a significant fine under the Ontario OH&S Act in relation to the same incident. The supervisor was fined $50,000 under the OH&S Act.

Australia

Ballarat Radio Pty Ltd and one of its employees pled guilty to occupational health and safety charges in relation to allowing the verbal and physical harassment of staff by a colleague.The company was fined AU$55 000 (roughly C$), while the abuser was fined AU$11 700 (roughly C$). It is the first known successful prosecution based on the premise that bullying is an occupational health and safety issue.

OH&S Appeal Panel
None

Legislation and Regulation Creation or Review Activity:

During this fiscal year

1. there were no changes to the Act passed
2. Bill 20, "A Bill to Amend the Workers' Compensation Act", was introduced in the Legislature in the fall of 2003. The bill would:
   a. double fines for repeat offences under the Act
   b. establish a requirement for a quarterly report to the Deputy Minister of Environment and Labour on the compliance with the Act
   c. remove the mandate of prevention from the Division's role

   At fiscal year end, the Bill had not been returned from the Legislature's Law Amendments Committee.

Significant work was done on the following existing regulations during the fiscal year:

1. Fall Protection and Scaffolding Regulations. The Advisory Council's Regulation Sub-Committee completed its review of the regulations and the Council as a whole recommended the regulations be updated.
2. Occupational Diving. During the fiscal year, the Division completed the majority of work on these regulations. At fiscal year end, the regulations were in the final stages of review.
3. Liquified Petroleum Gas Regulations. During the fiscal year, the Division produced an internal draft of these regulations.
4. Underground Mining Regulations. The Advisory Council's Underground Mining Regulations Review Sub-committee completed its review of the regulations and the Council as a whole recommended the regulations be updated.

Although not led by the Division, the following legal activities impact the Division's operations and clients:

1. the Division contributed significant resources to revisions of the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act. A draft bill (Bill 37) was introduced into the Nova Scotia Legislature in the fall of 2003. At fiscal year end, negotiations were ongoing between the Government of Nova Scotia, the Government of Canada and the Government of Newfoundland and Labrador over the required revisions.
2. Changes to the Criminal Code of Canada (commonly called Bill C-45) were proclaimed on March 31, 2004 to make some OH&S offences criminal violations. At year end, the Division was discussing a memorandum of understanding with other law enforcement agencies to clarify how the new criminal sections would be administered.
3. The Parliament of Canada passed An Act to amend the Criminal Code (capital markets fraud and evidence-gathering) (Bill C-13), which came into effect on September 15, 2004. The Act creates a new general criminal offence aimed at preventing employer

reprisals against employees who "blow the whistle" with respect to a violation of any federal or provincial/territorial law (including the Occupational Health and safety Act). The new law bars taking disciplinary action, demoting, terminating or otherwise adversely affecting the employment of an employee, or threatening to do so, with the intent of compelling the employee not to provide information to law enforcement officials concerning an offence committed by the employer. Retaliating against an employee who has already provided such information will also constitute an offence. The maximum punishment for anyone found guilty of an offence under section 425.1 is five years of imprisonment.

In addition, the Minister and Deputy Minister of the Department started a review of all outstanding regulatory initiatives. The aim is to create a multi-year workplan for the Division's health and safety activities. At fiscal year end, the review was ongoing and was expected to be complete in 2005/2006.

The results related to law reform activities are:

Description	2004/ 2005	2003/ 2004	2002/ 2003	2001/ 2002	2000/ 2001
Number of existing Act /regulations reviewed with recommended changes submitted to the Minister	0	1	0	1	1
Number of new Acts and regulations submitted to the Minister	0	3	1	0	0

Financial Highlights

The overall expenditures of the Division are listed below.

	2004/ 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000 / 2001
Total Costs (actual $000)	5,958	5,611	5,358	5,321	4,500
Total Costs (Dec. 2004 $000)*	5,958	5,765	5,528	5,836	4,957
Inflation Index	127.0	123.6	123.1	115.8	115.3

The major types of expenditures in fiscal year 2004/2005 were:

Staff salaries and benefits: 3 539 000 (59%)
Honoraria: $693 000 (12%)
Travel: $286 000 (5%)

The Division's revenue comes from two major sources - a statutory transfer from the WCB and an amount from the Government's general funds. In addition, the Division earns a relatively small amount of revenue from the sale of publications to the Government Publications Office (from where they are distributed to the public) and from the certification of blasters and the licensing of magazines.

Performance Measures

The Division measures its performance in three ways:

1. the outcomes and outcome measures established for the Division in the Department's Business Plan,
2. through the Nova Scotia Business Climate Index
3. through surveys of client satisfaction, and
4. response to client requests for service.

The following sections report on such performance measures.

Business Plan Performance Measures

The Division is accountable for meeting the outcomes and outcome measures noted in the Department's annual Business Plan (see http://www.gov.ns.ca/enla/pubs/b_plan04.PDF). These are as follows:

Outcome	Measure	Data*	Target*	Strategies to Achieve Target
A safe work environment	Annual percentage of targeted inspections where a health and safety order is not issued.	36 % (2004) vs. 43.5 % (2001 - Baseline)	Increase the percentage from the base year (2001) measure	- work with the WCB to increase OH&S promotion and education - continue to develop a targeted risk-based inspection system
	Number of registered WCB claims per 100 employees, compared to the 5-year running average	7.72 (2004) vs. 7.97 running average from 2000 to 2004**	Maintain or decrease number of claims relative to 5 year running average	- work closely with WCB to identify high accident firms, sectors and types of accidents - work with the WCB to increase OH&S promotion and education - continue to develop a targeted risk-based inspection system
	Average number of compensable days for all compensable time loss claims filed in the year and receiving benefits during the year, compared to the 5-year running average	41.01 (2004) vs. 35.42 running average from 2000 to 2004**	Maintain or decrease the average number of days relative to the 5- year running average	

* Years refer to calendar years.
** Data from WCB

Fatality and Injury Statistics

Description	Annual Data (calendar year)					5 Year Average
	2004	2003	2002	2001	2000	
*Fatalities Recorded During the Year	27	22	28	27	23	25
Number of Fatalities Reported per 100,000 Employees	6.11	5.05	6.54	6.38	5.48	5.91
Average # of Compensable Time-Loss Claims Registered with the WCB per 100 Employees	2.11	2.07	2.05	2.17	2.16	2.11
Average # of Compensable Days for Compensable Time-Loss Claims Registered with the WCB During the Year	41.01	38.20	36.86	31.60	29.45	35.42
Average # of Compensable Days for All Compensable Time-Loss Claims for which Payments were Made During the Year	61.22	57.61	56.77	56.20	47.85	55.93

* = All Fatalities Counted by OHS Division (criteria given) ** = All Fatalities Under Provincial Jurisdiction

The Nova Scotia Business Climate Index

As part of its calculation of the Nova Scotia Business Climate Index (see http://www.gov.ns.ca/econ/businessclimate/2004/), the Nova Scotia Department of Economic Development publishes a measure of the Effectiveness of Occupational Health and Safety. This measure is based upon the Nova Scotia injury frequency per 100 workers of WCB assessable employers compared to other Canadian provinces. The data is published by the Association of Workers' Compensation Boards of Canada (http://www.awcbc.org/english/board_data.asp).

. The latest effectiveness values are listed in the following table. Note that:

1. These values include 2003 data (the latest from the AWCBC at the time of writing) which is not included in the Department of Economic Development figures
2. Some of the previous years' data have been updated by the AWCBC in 2005.

OH&S Effectiveness
(Injuries/100 workers of WCB Assessable Employers)

Jurisdiction	2003	2002	2001	2000
Alberta	2.61	2.79	3.04	3.31
British Columbia	3.06	3.24	3.58	3.87
Manitoba	4.81	5.00	5.29	5.79
New Brunswick	1.47	1.59	1.80	2.00
Newfoundland and Labrador	2.70	2.94	3.44	3.80
Northwest Territories/Nunavut	2.77	3.10	3.40	3.11
Nova Scotia	**3.04**	**3.11**	**3.24**	**3.36**
Ontario	1.98	2.26	2.37	2.37
Prince Edward Island	2.27	2.66	3.34	3.96
Quebec	3.16	3.32	3.48	3.73
Saskatchewan	4.24	4.52	4.37	4.52
Yukon	2.66	2.98	2.65	2.37

Ranking (out of 12; 1 = best)	2003	2002	2001	2000
Nova Scotia	8th	8th	5th	6th

Client Satisfaction

The Division currently measures client satisfaction for three services:

1. the E-mail Question Service (whereby clients may send e-mails to the Division with questions on OH&S laws and receive an e-mailed answer);
2. the Minding Your Business seminars (events where OH&S staff, along with WCB, other Departmental and Canada Revenue Agency staff give free seminars); and
3. the publications mailout service.

In addition to these three client satisfaction measures, the Division started work on a Client Evaluation Program for our inspection service. The Division expects to pilot this evaluation in 2005/2006.

The currently existing surveys gave the following results:

E-Mail Question Service Client Satisfaction:

Question	Percent of maximum score (No. of responses*)				
	2004/ 2005	2003/ 2004	2002/ 2003	2001 / 2002	2000 / 2001
No. of e-mail surveys sent	95	43	131	251	220
Response rate (%)	31	63	71	41	40
The information answered my question.	83.0 (27)	82.2 (27)	86.5 (71)	86.1 (103)	83.1 (89)
The information was clear, concise and understandable.	82.9 (28)	80.7 (27)	87.0 (71)	87.1 (103)	85.5 (83)
The information was received within an acceptable time frame.	86.9 (26)	87.9 (28)	86.8 (71)	88.5 (102)	87.4 (73)
You are pleased with the service you received.	83.0 (27)	87.7 (26)	89.3 (71)	88.7 (100)	86.8 (85)
Average	**83.9**	**84.6**	**87.4**	**87.6**	**85.6**

* Note that not every respondent to the client satisfaction survey answers every question.

Minding Your Business Seminars:

Criterion	Attendee Response	
	2004/2005	2003/2004
Overall seminar criteria (% who said "Yes")*		
Just the right amount of information was presented	85	76
Just the right number of topics were presented	85	81
Would other business people would be interested in attending?	100	98
Divisional presentation criteria**		
The session was of value to me (% agreement)***	82	81
I gained new knowledge or skills (% agreement)***	78	80
Overall rating of presentation (% quality)****	80	77

* These three questions rates the entire seminar, including parts the Division did not present.
** These three questions rate only the sessions that the Division presented.
*** For this question, 5 agreement options were given, from "Strongly disagree" to "Strongly agree". In calculating the "% agreement", Strongly disagree was given no marks, Disagree was 25%, Average was 50%, Agree was 75% and Strongly agree was 100%.
**** For this question, 5 quality options were given, from "Poor" to "Excellent". In calculating the "% quality", Poor was given no marks, Fair was 25%, Average was 50%, Good was 75% and Excellent was 100%.

Publications Mail-Out Service Client Satisfaction:

Question	2004/ 2005	2003/ 2004	2002/ 2003	2001/ 2002
Material received within an acceptable time (% Yes)	100	-	100	100
Correct material received (% Yes)	99	-	0	100
Friendliness (1-5 scale)	4.5	4.5	4.6	4.6
Laws well written (1-5 scale)	3.5	3.5	3.9	3.1
Laws interesting (1-5 scale)	3.7	4.0	3.7	3.8
Other materials well written (1-5 scale)	3.8	4.0	4.2	3.9
Other materials interesting (1-5 scale)	3.2	4.0	3.9	3.9
Overall satisfcation (1-5 scale)	4.6	4.0	4.7	4.6
% respondents self-identified as "Management"	74%	-	-	-
% respondents self-identified as "JOHSC members"	53%	-	-	-

- Result not available.
1 = Worst 5 = Best

Improve Response to Client Requests For Service

This parameter is measured through the length of time before the initial investigation of a complaint by an OH&S officer. The length of time before the initial investigation of complaint by an OH&S officer is as follows:

	2004/2005	**2003/2004 (Jan. 1st, 04 -> Mar. 31st, 04)**
No. of complaints received	1200	224
Average No. of days between receipt of complaint and inspection (if one is conducted)	8.71	7.63
No. Complaints for which no follow-up inspection was performed[2]	235	57

[2] While it is standard procedure for the Division to follow-up on all complaints, there are some for which this is not appropriate or possible. Such complaints include

1. operation that was the subject of the complaint is transient and was no longer in existence by the time an officer could investigate
2. complainant gives incorrect information which does not allow the operation that was the subject of the complaint to be identified
3. the operation that is the subject of the complaint is within the jurisdiction of
   a. the federal government
   b. the Labour Standards Division
   c. other government agency.

   In such cases, the complaint is referred to the appropriate agency for follow-up.

Divisional Activity

Key Divisional Activity Statistics

The following tables give key statistics on Divisional activity.

Tracked Activities

Tracked Activity	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000 / 2001
Full-Form Prosecutions Initiated	37	45	28	24	14
Summary Offence Tickets Issued	23	*	*	*	*
Fatalities Investigated	16	19	9	18	11
Work Refusals Investigated	28	15	8	13	8
Appeals of Officer Decisions	31	10	25	23	30
Appeals of Director Decisions	4	6	8	15	13
General Inspections	1,004	1,460	1,039	1,287	1,897
Targeted Inspections	448	266	641	583	#
Joint Inspections	9	7	27	27	9
Re-Inspections	512	503	455	478	392
Complaints Investigated	873	805	834	860	775
Incidents Investigated	350	272	302	325	261
Discriminatory Action Complaints	76	41	69	50	35
Total Activities (Not inc. Prosec.)	**3,976**	**3,539**	**3,628**	**4,027**	**3,763**

* The power to issue summary offence tickets was not in place at this time.
# Targeted inspections were not recorded as a separate category.

Orders Issued

Category	Number of Orders Issued				
	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000/ 2001
Orders Issued Under the Acts					
Occupational Health and Safety Act	2,366	2,143	2,157	1,971	2,917
Stop Work Orders	109	123	141	137	144
Deviations Granted	22	24	18	21	17
Codes of Practice Required Under Act	8	34	9	9	6
Smoke-free Places Act	68	25	**	**	
Orders Issued Under the Regulations					
Construction Safety Regulations	*	*	*	*	27
Fall Protection & Scaffolding Regulations	604	618	604	453	695
First Aid Regulations	696	798	787	637	944
General Blasting Regulations	29	15	18	30	40
Industrial Safety Regulations	*	*	*	*	209
Occupational Health Regulations	18	35	27	34	16
Occupational Safety General Regulations	2,621	2,684	2,533	2,314	3,129
Temporary Workplace Traffic Control Regs.	42	7	26	22	33
WHMIS Regulations	475	559	540	394	593
Smoke-free Places Regulations	15	21	*	*	*
Underground Mining Regulations	57	128	*	*	*
Orders Issued Under Codes of Practice					
Managing Asbestos in Buildings '	0	0	0	4	6
Removal of Friable Asbestos '	0	0	0	0	1
Working with Lead '	0	0	0	1	0
TOTAL	**6,991**	**7,033**	**6,692**	**5,860**	**8,610**

* These laws did not exist at this time.

' Since 2002/2003, these are counted in "Codes of Practice Required Under the Act"

Distribution of Divisional Activities by Industry

Industry	SIC Range	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000/ 2001
Accommodation, Food, and Beverage	9000-9599	6.4	5.2	6.5	7.5	3.3
Agricultural and Related Services	0000-0299	1.9	2.1	2.3	1.9	2.1
Business Services	7700-7999	2.5	1.8	1.2	1.9	1.6
Communications	4800-4999	0.9	1.0	1.2	1.2	1.7
Construction	4000-4499	27.8	26.5	32.0	28.2	28.6
Education Services	8500-8599	1.0	1.2	1.2	1.5	1.3
Finance and Insurance	7000-7499	0.4	0.2	0.6	0.3	0.1
Fishing and Trapping	0300-0399	1.3	1.2	1.2	0.8	0.6
Government Services	8000-8499	6.0	6.1	6.7	11.7	11.6
Health and Social Services	8600-8999	5.0	3.9	3.3	4.5	3.6
Logging and Forestry	0400-0599	1.0	1.3	1.7	2.0	1.9
Manufacturing	1000-3999	15.8	14.5	14.6	16.9	12.9
Mining, Quarrying, and Oil	0600-0999	2.8	3.0	2.5	2.4	2.7
Other Services	9600-9999	4.8	5.4	4.7	3.9	3.9
Real Estate / Insurance	7500-7699	0.9	1.1	0.9	0.3	0.8
Retail Trade	6000-6999	13.5	14.4	12.6	9.2	16.2
Transportation and Storage Industries	4500-4799	2.2	1.8	2.5	2.0	1.7
Wholesale Trade	5000-5999	5.6	5.6	4.2	3.7	5.4

Distribution of Complaint Inspections by Industry Type (%)

Industry	SIC Range	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000/ 2001
Accommodation, Food, and Beverage	9000-9599	5.1	4.8	4.1	2.3	3.9
Agricultural and Related Services	0000-0299	2.0	1.1	2.0	1.4	0.8
Business Services	7700-7999	3.2	2.9	2.4	1.2	2.1
Communications	4800-4999	2.0	1.1	1.7	0.8	1.9
Construction	4000-4499	41.8	40.0	43.3	43.7	40.1
Education Services	8500-8599	0.7	1.2	2.2	1.4	1.9
Finance and Insurance	7000-7499	0.3	0.0	1.2	0.7	0.3
Fishing and Trapping	0300-0399	0.8	1.1	1.0	0.8	0.8
Government Services	8000-8499	5.3	6.7	6.0	6.7	6.2
Health and Social Services	8600-8999	2.4	3.5	3.2	4.6	5.2
Logging and Forestry	0400-0599	0.9	0.5	0.7	1.0	0.8
Manufacturing	1000-3999	14.5	11.6	11.3	13.8	11.5
Mining, Quarrying, and Oil	0600-0999	0.5	0.6	1.0	1.5	1.6
Other Services	9600-9999	6.0	6.3	5.6	6.0	5.7
Real Estate / Insurance	7500-7699	2.3	2.9	1.9	0.7	1.3
Retail Trade	6000-6999	4.8	7.0	6.2	7.3	8.3
Transportation and Storage Industries	4500-4799	2.5	1.6	2.2	2.4	2.9
Wholesale Trade	5000-5999	4.6	4.1	4.1	3.7	4.8

Distribution of Targeted Inspections By Industry (%)

Industry	SIC Range	2004 / 2005	2003 / 2004	2002 / 2003
Accommodation, Food, and Beverage	9000-9599	15.4	8.6	7.5
Agricultural and Related Services	0000-0299	1.6	4.1	3.3
Business Services	7700-7999	2.7	0.8	0.6
Communications	4800-4999	0.9	0.4	0.9
Construction	4000-4499	12.3	17.3	30.0
Education Services	8500-8599	0.0	0.0	0.0
Finance and Insurance	7000-7499	0.7	0.4	0.2
Fishing and Trapping	0300-0399	1.3	1.1	1.6
Government Services	8000-8499	5.1	3.8	3.0
Health and Social Services	8600-8999	9.2	6.8	23.0
Logging and Forestry	0400-0599	1.8	3.8	4.4
Manufacturing	1000-3999	16.5	16.5	16.5
Mining, Quarrying, and Oil	0600-0999	0.9	0.8	0.6
Other Services	9600-9999	3.8	2.6	3.9
Real Estate / Insurance	7500-7699	0.2	0.4	0.5
Retail Trade	6000-6999	17.9	18.8	14.2
Transportation and Storage Industries	4500-4799	3.8	3.0	5.6
Wholesale Trade	5000-5999	5.8	8.6	4.4

Distribution of Orders By Industry (%)

Industry	SIC Range	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000/ 2001
Accommodation, Food, and Beverage	9000-9599	9.4	5.7	9.5	13.6	4.5
Agricultural and Related Services	0000-0299	0.7	2.8	1.6	0.9	1.0
Business Services	7700-7999	2.2	1.2	0.9	1.0	0.5
Communications	4800-4999	0.4	0.7	1.1	0.7	0.9
Construction	4000-4499	24.5	24.2	26.2	22.9	23.5
Education Services	8500-8599	0.6	0.8	0.5	0.6	1.9
Finance and Insurance	7000-7499	0.3	0.0	0.3	0.0	0.1
Fishing and Trapping	0300-0399	0.7	0.8	0.6	0.4	0.4
Government Services	8000-8499	2.7	3.5	4.2	3.2	2.8
Health and Social Services	8600-8999	3.0	2.7	2.2	2.1	2.2
Logging and Forestry	0400-0599	1.0	0.9	0.5	1.3	1.1
Manufacturing	1000-3999	16.6	16.6	16.6	25.0	15.2
Mining, Quarrying, and Oil	0600-0999	2.9	3.7	1.2	2.7	2.4
Other Services	9600-9999	4.7	4.8	6.0	4.8	5.3
Real Estate / Insurance	7500-7699	1.3	1.4	1.1	0.1	0.4
Retail Trade	6000-6999	18.9	17.4	19.3	14.5	27.3
Transportation and Storage Industries	4500-4799	2.6	2.1	1.5	1.8	1.4
Wholesale Trade	5000-5999	7.2	7.1	6.5	4.4	9.2

Ratio of Orders to Activities by Industry +

Industry	SIC Range	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000/ 2001
Accommodation, Food, and Beverage	9000-9599	1.5	1.1	1.5	1.8	1.4
Agricultural and Related Services	0000-0299	0.4	1.3	0.7	0.5	0.5
Business Services	7700-7999	0.9	0.7	0.8	0.5	0.3
Communications	4800-4999	0.4	0.7	0.9	0.6	0.5
Construction	4000-4499	0.9	0.9	0.8	0.8	0.8
Education Services	8500-8599	0.6	0.7	0.4	0.4	1.5
Finance and Insurance	7000-7499	0.8	0.0	0.5	0.0	1.0
Fishing and Trapping	0300-0399	0.5	0.7	0.5	0.5	0.7
Government Services	8000-8499	0.5	0.6	0.6	0.3	0.2
Health and Social Services	8600-8999	0.6	0.7	0.7	0.5	0.6
Logging and Forestry	0400-0599	1.0	0.7	0.3	0.7	0.6
Manufacturing	1000-3999	1.1	1.1	1.1	1.5	1.2
Mining, Quarrying, and Oil	0600-0999	1.0	1.2	0.5	1.1	0.9
Other Services	9600-9999	1.0	0.9	1.3	1.2	1.4
Real Estate / Insurance	7500-7699	1.4	1.3	1.2	0.3	0.5
Retail Trade	6000-6999	1.4	1.2	1.5	1.6	1.7
Transportation and Storage Industries	4500-4799	1.2	1.2	0.6	0.9	0.8
Wholesale Trade	5000-5999	1.3	1.3	1.5	1.2	1.7

+ A value of 1.0 would indicate an "average" number of orders were issued per activity in a particular industry sector. Values above 1 suggest that, on average, more orders were issued per activity in this sector; values below 1 suggest that, on average, fewer orders were issued per activity in this sector.

Compliance

Compliance by the Division

The Act and regulations establish several requirements on the Division. In all cases where the requirement was triggered, the Division met the requirement.

These are in Appendix B as is the Division's compliance with them.

Compliance by Outside Organizations

Compliance by outside organizations who are required to comply with the Act is currently gauged primarily through an IRS Checklist which is administered during certain categories of inspections. The IRS checklist results revealed the following statistics:

No. of workers	Internal Responsibility System Measure	2004/ 2005	2003/ 2004	2002/ 2003	2001/ 2002
		(% Yes)			
Less than 5	Does the information available at the workplace meet the requirements of the Act?	67	57	60	51
5-19	Does the information available at the workplace meet the requirements of the Act?	42	56	35	37
	Does the occupational health and safety policy meet the requirements of the Act?	43	45	35	35
20+	Does the information available at the workplace meet the requirements of the Act?	69	66	60	48
	Does the occupational health and safety policy meet the requirements of the Act?	73	68	62	46
	Does the joint occupational health and safety committee meet the requirements of the Act?	66	64	41	41
	Are the functions of joint occupational health and safety committees fulfilled?	75	66	57	48
	Does the occupational health and safety program meet the requirements of the Act?	63	64	49	35

In interpreting the above results, it is important to realize that there is an inspection targeting system aimed at directing the Division's inspections at organizations with higher accidents rates. Thus:

- the results above are NOT necessarily indicative of the "average" situation in Nova Scotia companies
- as a result of targeting organizations with higher accident rates, the results are most likely biased to under-report actual average conformity with the elements of the IRS. The size of the bias is not known.

Ensure Proper Internal Management:

This parameter is measured through the following statistics:

- average number of activities per OH&S officer
- average number of targeted inspections per officer
- percentage of closed orders that went past the stated compliance date
- success rate in prosecutions
- average cost per activity
- level of staffing

Statistics for "Average number of targeted inspections per officer" are not recorded prior to 2001/2002 as the targeting system was not in place.

DESCRIPTION	ANNUAL DATA					5 YEAR AVERAGE
	2004/ 2005	2003/ 2004	2002/ 2003	2001/ 2002	2000/ 2001	
Average number of activities per OH&S officer*	117.1	93.9	95.9	117.5	102.1	**105.3**
Average number of targeted inspections per OH&S officer*	13.2	7.1	16.7	16.5		
Closed orders that went past the stated compliance date (%)	44.2	47.5	49.5	41.6	47.1	46.0
Success rate in prosecutions * *(%)	73.1	67.6	39.6	56.3	65.8	60.5
Average cost per activity (Dec. 04 $)	$1,498	$1,585	$1,477	$1,321	$1,196	$1,416

* The number of officers for these calculations is derived from a consideration of individual officer starting and ending dates.
** "Success" is defined as the percentage of charges which resulted in "Guilty" verdicts in the total charges decided in the relevant fiscal year that were recorded as either Guilty, Not Guilty, Dismissed, Stayed, or Quashed.

In addition to the OH&S activities described by the above statistics, the Division participated in the operation of the Department and supported various corporate and government initiatives. These initiatives included:

1. The program Inventory and Costing Initiative (PICI). The first step of this process was completed and an OH&S program inventory generated.
2. French language initiatives led by the Office of Acadian Affairs. The Department has developed a multi-year strategy to introduce and expand French language services
3. Development of a departmental Management Information System, which will be initially

focussed on inspection services. At fiscal year end, corporate reporting requirements had been defined and a go forward strategy was in development.

4. Various internal committees aimed at improving the resource utilization and consistency within the Department. Noteworthy committees are:
   a. Departmental Senior Management Team
   b. Labour Policy
   c. Labour Regulatory Policy.

5.

Public Information

As part of the Division's mission "To establish and enforce clear standards to reduce occupational injury and illness", the Division maintains a strong effort to continuously promote and increase client awareness of OH&S in general and OH&S laws specifically. This effort includes:

1. participation in such events as the Minding Your Business workshops. In these workshops, given 3 times annually, small businesses get a chance to learn and discuss issues related to OH&S, worker compensation and federal taxes with the regulators from each area.
2. support for other major events like:
   a. North American Occupational Safety and Health Week
   b. the Nova Scotia Safety Council Annual Conference
   c. the National Day of Mourning and Davis Day
3. an inquiry/question answering service accessible either through a toll-free call or the Internet
4. a large and frequently-visited Internet site
5. in cooperation with other WSIS partners, a free e-mail service where subscribers get updates of important events and initiatives
6. alone or in concert with our partners, free courses on OH&S laws and other topics
7. participation on a wide range of stakeholder committees
8. contributing to the funding for the Inquiry Service of the Canadian Centre for Occupational Health and Safety.

The following tables give a picture of the Division's public awareness efforts.

	2004 / 2005	2003 / 2004	2002 / 2003	2001/2002
# Toll Free Calls Received	4,240	4,824*	3,768**	6,583
# Inquiries Received	2,870	630***	No comprehensive recording system available	

*Figure is based on prorated data for 11 months.
**Figure is based on prorated data for 5 months.
*** Data represents the time period from January 1, 2004 to March 31, 2004.

Internet Site:

Top 5 Page Views of Division Internet Pages
Excludes pages giving texts of laws as those are on the Department of Justice site - See table below

Web Site Titles	2004 / 2005	2003 / 2004	2002 / 2003
OHS Home Page	32,711	31,318	31,438
Hazard Alerts	36,180	15,834	12,087
Publications Pages	17,293	27,491	17,649
Ergonomics Pages	15,899	7,606	6,926
Training Pages	11,222	9,869	6,627
Total Page Views for all Division pages	**302,758**	**235,250**	**172,947**

Top 5 Downloads off Division Internet Pages

Web Site Titles	2004 / 2005	2003 / 2004	2002 / 2003
Reference Guide to Occupational Safety General Regulations	12,588	12,606	1,945
Reference Guide to Fall Protection and Scaffolding Regulations	13,614	5,163	2,869
Applications of various types	11,256	4,365	1,954
Ergonomics sheets	9,043	10,927	7,797
Reference Guide to WHMIS Regulations	4,452	3,811	1,927
Total Downloads for all Division pages	**115,144**	**77,400**	**38,497**

Top 5 Page Views of Internet Pages showing OHS Regulations*

Web Site Titles	2004 / 2005	2003 / 2004	2002 / 2003
Occupational Safety General Regulations	10,094	8,136	6,361
Fall Protection and Scaffolding Regulations	8,722	5,689	3,105
WHMIS Regulations	5,603	5,071	3,647
OHS First Aid Regulations	5,387	3,653	2,504
Occupational Health Regulations	3,140	3,631	2,681
Total Page Views for all Division Pages showing Regulations	**43,556**	**33,658**	**22,896**

* This listing does not include the Occupational Health and Safety Act whose access statistics are not available to the Division.

Major Initiatives and Partnerships

Annual Awards

In concert with the WCB and HRSD, the Division gave awards to the following companies who achieved the best accident records in their counties in 2004/2005:

Annapolis Royal Nursing Home Ltd.	Annapolis
Triple D Trucking Ltd.	Antigonish
J.A. Borden Enterprises Ltd.	Cape Breton
Williams Country Homes for Special Care Ltd	Colchester
Darrin Carter Logging Ltd.	Cumberland
Macdav Forestry Consulting Ltd.	
Innovative Fishery Products Inc.	Digby
C.W. Sproule Fisheries Ltd.	
East Coast Hydraulics & Machinery Ltd.	Guysborough
Dominion Diving Limited	Halifax
Beaver Dam Enterprises Ltd.	Hants
Atlantic Corporation Ltd.	Inverness
M & D Properties Ltd.	Kings
Municipality of the District of Chester	Lunenburg
MacIvor and Stewart Masonry Ltd.	Pictou
R & C Weare Logging Ltd.	Queens
St. Anne Community and Nursing Care Centre	Richmond
Kate Fisheries Ltd.	Shelburne
Highland Manor	Victoria
Yarmouth Argyle Home Support Services	Yarmouth

Projects started /completed over past year

The following are the major projects started or completed by the Division in 2004/2005.

Inspection Satisfaction:
Inspections are one of the major services offered by the Division. Building on the success of our client satisfaction surveys in e-mail services and publication mail-outs, the Division started work on a project to measure client satisfaction with the inspection service. The project will be piloted in 2005/2006 and use a paper survey of both employer and employee participants in Divisional inspections.

Workplan Development:
In concert with the senior management of the Department, the Division started work on a plan that will describe the initiatives we plan - both non-regulatory and regulatory - over the next several years. The plan will be ready in 2005/2006.

Ergonomics:
Responding both to an Advisory Council recommendation for an ergonomics initiative and the Department's development of a Regulation Review Process, the Division used the ergonomics issue as a pilot for the Regulation Review Process. At year end, the report of the process was under consideration by management.

Plain Language Initiative:

In an ongoing effort to make information more accessible to our clients, the Division continued work on our plain language initiative. This initiative involved:

1. updating and maintenance of our reference guides for all major regulations and Acts
2. starting work on plan language summaries of our laws. In 2005/2006, plain language summaries were completed for the First Aid Regulations and the Personal Protective Equipment and Lock-out parts of the Occupational Safety General Regulations
3. a review of the format of this annual report to make it more concise and readable.

Partnerships

WSIS

In November, 2004, a memorandum of understanding was signed between the four WSIS partners recognizing their shared interest in implementing a strategic plan for WSIS and recognizing the importance of co-operation and communication between them.

In addition, the Deputy Minister of the Department and the WCB Chair initiated a public consultation on the appropriate governance and accountability model for WSIS.

Within WSIS, a number of committees addressed issues and defined initiatives. These included:

1. Coordinating Committee, made up of the four administrative heads of the partner agencies. This committee defined an implementation process for the WSIS strategic plan.
2. System Performance Measures Advisory Committee, which inquired into appropriate performance measures for WSIS.
3. Issues Resolution Committee, which includes the agencies involved in the resolution of WCB claims. This committee reviewed the decision-making processes in WCB appeals.

In partnership with the WSIS partners, the Division participated in:

1. The first ever annual general meeting for WSIS
2. The implementation of the WSIS strategic plan, which had been finalized the previous year
3. The creation of an Internet site dedicated to WSIS
4. Social marketing and advertising campaigns aimed at raising awareness about workplace safety
5. The development of an Internet tool to allow employers access to OH&S information on their business
6. the first general population opinion survey, which set a baseline for public awareness of OH&S issues.

In partnership with the WCB, the Canada Revenue Agency and various divisions within the Department of Environment and Labour, the Division participated in 3 "Mind Your Business" workshops. These free workshops put on around the province provide small business with a single place to go to learn about OH&S, workers' compensation, tax law and several other issues.

In partnership with the WCB, the Division participated in the development of:

1. The Priority Employer Program
   Through this program, Division and WCB personnel will work with an organization that has a poor safety record in order to improve their OH&S program.

2. The Certificate of Recognition Program
   Through this program, a company can obtain an external audit of its OH&S program. Successful audit results can then be used as a pre-qualifier for some contracts.
3. An Internet program (called "My Account") through which employers can review over the Internet such things as claims histories and status, WCB premiums and OH&S inspections and orders.

The first two initiatives should be ready to start in 2005/2006.

Significant Committee Activities and Events

The Division participated on the following major committees:

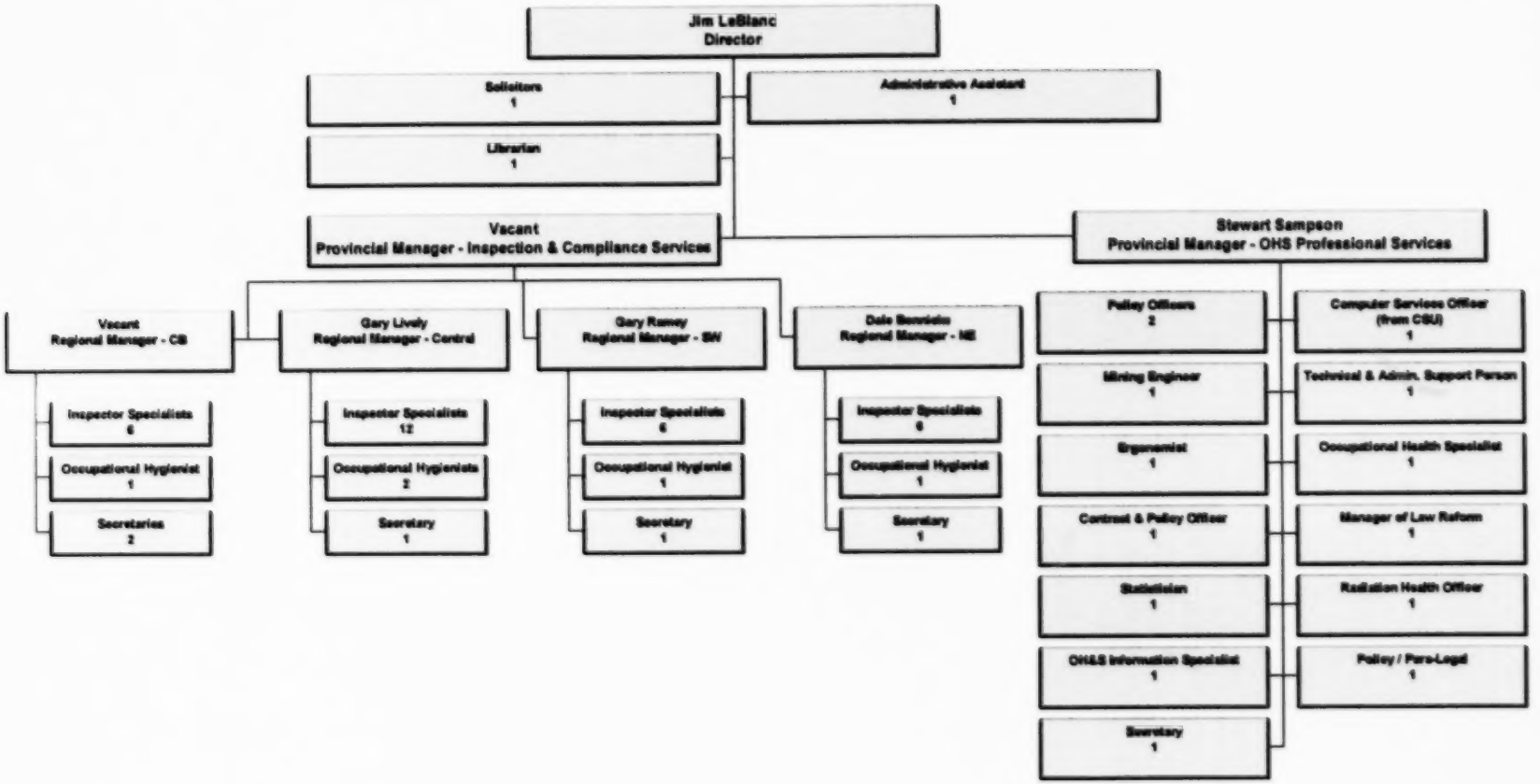
1. the OH&S subcommittee of the Canadian Association of Administrators of Labour Law (CAALL-OSH)
2. the Steering Committee for the Nova Scotia Injury Prevention Strategy
3. Canadian Standards Association technical committees on:
   a. the proposed OH&S management standard
   b. head protection
   c. machine guarding

The Division participated in the following major events:

1. the inaugural WSIS annual general meeting
2. North American Occupational Health and Safety Week
3. the National Day of Mourning
4. Davis Day
5. partially funding and presenting at the Nova Scotia Safety Council annual conference.

Appendix A - Organizational Chart for the Division

As of March 31, 2005



Appendix B - Listing of Compliance with Legal Requirements on the Division

Statutory Requirement from the Act	Section	Compliance
The Division shall: 1. shall be concerned with OHS and maintain reasonable standards 2. prepare and maintain statistics and information 3. provide assistance and services to persons concerned with OHS 4. promote or conduct studies and research projects in OHS 5. encourage and conduct educational programs to promote in OHS 6. annually submit to the Advisory Council a report on a review of this Act	9	Full compliance
Part of the costs of the Division pursuant to this Act and the regulations and costs of education and research related to OHS shall be paid out of the Accident Fund by the WCB as determined by the Governor in Council	10	Full compliance
There shall be appointed in accordance with the *Civil Service Act* a Director of OHS and such officers and employees as are necessary for the administration and enforcement of this Act and the regulations	11	Full compliance
Appointees from other levels of government shall not be placed in a position of conflict of interest	11	Full compliance
Minister shall appoint to the OHS Council persons who have a particular knowledge and experience relating to the protection and promotion of OHS generally	24	Full compliance
Membership of the Council shall include equal representation from employers and employees	25	Full compliance
Officer shall provide to the employer at a workplace reports of 1. workplace occupational health or safety inspections; and 2. workplace occupational health or safety monitoring or tests, undertaken at the workplace by, or at the request of, an officer	36	Full compliance
Officer investigate work discriminatory action complaint and provide an order or decision	46	Full compliance
Officer shall inform the person from whom a thing is seized as to the reason for the seizure and shall give the person a receipt for it. Officer shall bring a thing seized before a justice Officer who seizes anything shall deal with it in the same way as if it were seized pursuant to the authority of a search warrant	48	Full compliance
Officer shall endeavour to consult with a reasonable number of employees during the inspection.	50	Full compliance
Provision of written order following oral order	55	Full compliance
Specify time within which compliance of order to be completed	56	Full compliance
Provision for protection of confidential business information	61	Full compliance
Provision for protection of medical information	62	Not invoked in 2004/2005
Provision for protection of information received in confidence	62	Full compliance
Director shall summarily review and decide appeals Director shall provide a copy of the Director's decision	67	Full compliance

Statutory Requirement from the Act	Section	Compliance
Minister to seek employer/employee representative's recommendations in establishing a pool of Appeal Panel members	68	Full compliance
Minister to designate and Appeal Panel to hear appeal of Director's decision	68	Full compliance
Deputy Minister to provide a notice of appeal to Appeal Panel members	69	Full compliance
Appointed Appeal Panel to hold hearing	69	Full compliance
Appeal Panel Chair to provide copies of decisions to parties	69	Full compliance
Monies to be held "In Trust" by the Labour Standards Tribunal "In Trust" monies to be paid	72	Not invoked in 2004/2005
A deviation decision shall 1. not be made less then 28 days following the date of the application; and 2. be accompanied by written reasons for the decision Director shall provide a copy of the decision	83	Full compliance

Legal Requirement from the Regulations	Section	Compliance
Appeal Panel Regulation Requirements		
Appeal office shall identify to the Minister the selected chair and members	5	Full compliance
Where parties to an appeal agree on having one person hear the appeal the appeal office shall provide that information to the Minister	5	Not invoked in 2004/2005
The appeal office shall assist the selected chair in scheduling the hearing and communicate the date and location of the hearing	6	Full compliance
The appeal office shall identify a selected chair from the list of persons established pursuant to the Act for the purpose of chairing an appeal panel.	7	Full compliance
The appeal office shall identify two selected members for an appeal panel, one representing employers and one representing employees	8	Full compliance
The appeal office will inform the Minister of the availability of the selected members, and prepare an appointment letter for consideration by the Minister, and the Minister shall designate an appeal panel to hear the matter	9	Full compliance
The appeal office to maintain a record of the decision-making process for possible future submission to the court	13	Full compliance
Disclosure of Information Regulation Requirements		
Where a denial of a request by health professional is referred to the Director, the Director shall forthwith inform the employer, supplier or manufacturer who denied the request, of the referral and shall give the health professional and the employer, supplier or manufacturer who denied the request a reasonable opportunity to make representations	10	No review completed in 2004/2005
Director shall receive representations and ensure confidentiality; any other information and representations submitted to the Director shall not be open to or made available to the public or any other person.	11	No review completed in 2004/2005
General Blasting Regulation Requirement		
Director shall issue the certificate to the blaster.	21	Full compliance
Occupational Health Regulation Requirements		

Legal Requirement from the Regulations	Section	Compliance
Officer to issue a Notification Order where it can be shown an occupational health hazard exists and the employer has been advised of the hazard, its extent and implication.	7	No notification order issued in 2004/2005
Notification Order to be in writing	7	No notification order issued in 2004/2005
Officer to report facts to Director if compliance with notification orders has not occurred	8	No notification order issued in 2004/2005
Compliance Order referred shall be in writing; record that the employer is in violation of these regulations; record that a Notification Order has been issued; specify a period of time within which the employer shall be required to remedy the hazardous situation	8	No compliance order issued in 2004/2005
Radiation Emitting Devices Regulation Requirements		
Radiation Health Officer shall make a recommendation to the Minister with regard to the issuing of a registration for an ionizing device	3.6	Full compliance
Radiation Health Officer notifies owner of any condition which contravenes the provisions of the regulations, or is inconsistent with good operating practices	6.1	Full compliance
Underground Mining Regulation Requirements		
Director must review information in a timely manner	58	Full compliance
Director must notify the employer when the review is complete and the notice must state the cost of the review	58	Full compliance

Appendix C - Council and Board Membership

OHS Advisory Council

Co-Chairs:

Employee:
R. Wells

Employer:
G. Slauenwhite (April 1, 2004 - February 8, 2005)
Harris McNamara (February 8, 2005 to March 31, 2005)

Members:

Employee Members:
J. Kennedy (Employee Vice Co-chair)
S. Andrews
R. Clarke
G. Fraser
R. Wells
B.J. Sutherland

Employer Members:
J. Amirault (Employer Vice Co-chair)
A. MacKeigan
S. Peverelle
C. MacCulloch
G. Slauenwhite
Harris McNamara

Alternate Members:

Employee:
D. Ryan
C. MacRae
C. Murphy
M. Pickup
Neil Power
G. Randall

Employer:
D. Grant Fiander
L. van Berkel
A. Howell
D. Davis
Jacqueline Hatt

Statutory Members:

Division:
J. LeBlanc
S. Sampson (alternate)

WCB:
S. MacLean
L. McKenna (alternate)

Board of Examiners for the Certification of Blasters

Chair:
Kevin Beaton

Members:

Paul Caza	D. Clark
Alan Miller	A. Baxter

Appendix D - Prosecution Details

Prosecution Breakdown

Parameter	Charges Decided				
	2004 / 2005	2003 / 2004	2002 / 2003	2001 / 2002	2000 / 2001
Full Form Prosecutions Decided	45	36	NA	NA	NA
Full Form Charges Decided					
Guilty	57	48	19	18	25
Not guilty	6	6	4	0	4
Dismissed	13	17	25	10	3
Withdrawn	51	41	31	34	40
Stayed	0	0	0	0	4
Quashed	2	0	0	4	2
Total	129	112	79	66	78
Summary Offense Tickets (SOT) Decided	20	*	*	*	*
Guilty- Non Compliance With Order	10	*	*	*	*
Guilty - No Compliance Notice Submitted	6	*	*	*	*
Withdrawn / Dismissed / Quashed	4	*	*	*	*

* The power to issue summary offence tickets was not in place at this time.

Case by Case results (Full Form Prosecutions - Guilty Only)

Accused	Charges Decided Guilty	Total penalty
Acadian Enterprises Ltd.	Guilty, OSGR 155 & OHSA 74(1)(a)	$5,850
Meridian Construction Inc.	Guilty, FPSR 7(1) & OSHA 15(d) & OHSA 74(1)(a)	$11,500
Irvine Carvery, Donny Fairfax and the Black Community Workgroup of Halifax Co-operative Ltd.	1. Guilty, OHSA 38(1)(b)(i) & OHSA 74(1)(a) 2. Guilty, OHSA 38(1)(a)(i) & OHSA 74(1)(a) 3. Guilty, OHSA 38(1)(b)(iii) & OHSA 74(1)(a) 4. Guilty, OHSA 33(1) & OHSA 74(1)(a) 5. Guilty, OHSA 27(1)(a) & OHSA 74(1)(a) 6. Guilty, FAR 5(2) & OHSA 13(1)(a) & OHSA 74(1)(a) 7. Guilty, FAR 15(2) & OHSA 13(1)(a) & OHSA 74(1)(a) 8. Guilty, OSGR 25(2) & OHSA 13(1)(a) & OHSA 74(1)(a) 9. Guilty, OSGR 25(4) & OHSA 13(1)(a) & OHSA 74(1)(a 10. Guilty, OHSA 13(1)(f) OHSA & 13(1)(a) & OHSA 74(1)(a) 11. Guilty, OHSA 52(a) & OHSA 13(1)(a) & OHSA 74(1)(a) 12. Guilty, OSGR 120(1) & OHSA 13(1)(a) & OHSA 74(1)(a)	$12
Hershey Canada Inc.	Guilty, OSGR 85(1) & OHSA 74(1)(a)	$15,000
Hal Forbes and Forbes Restoration Design and Services (2001) Ltd.	1. Guilty, FPSR 7(10 & OHSA 15(1)(d) & 74(1)(a) 2. Guilty, OHSA 56(1) & 15(1)(d) & 74(1)(a)	$2,000
Jusuf Becic, carrying on business in the name of El Nino Roofing	1. Guilty, FPSR 17(2) & OHSA 13(1)(a) & OHSA 74(1)(a) 2. Guilty, OHSA 55 & OHSA 74(1)(b)(i)	$3,550
Ismet Mehmedovic	Guilty, FPSR 7(1)(a) & OHSA 17(1)(a) & OHSA 74(1)(a)	$500
Shaw Resources Limited	Guilty, OSGR 93(3) & OHSA 82	$10,000
Barry Jon Martin (Blair S. Francis Construction (2000) Ltd.)	Guilty, OHSA 17(1)(a) & 74(1)(a) & OSGR 166(1)	$1,825
Anne Slauenwhite	Guilty, OHSA 74(1)(b)(i)	$300
Bekim Cakaj	Guilty, FPSR 7(1)(a) & OHSA 17(1)(a) & OHSA 74(1)(a)	$500
J G Hartling Limited and Kenneth E. Andrews	Guilty, OHSA 13 (1) (a) & 74 (1) (a)	$5,100
Brian Joosse	Guilty, OHSA 15 (a) & 74 (1) (a)	$6,000
Mactara Limited and Cory Hutchinson	Guilty, OGSR 73 (4) (c) (ii) & OHSA 74 (1) (a)	$12,500
Kerim Aslantogmus	1. Guilty, FPSR 17(2) & OHSA 18 2. Guilty, OHSA 57(1)	$2,000
ACA Cooperative Ltd.	1. Guilty, OHSA 13(1)(c) 2. Guilty, OSGR 52(1)(a) 3. Guilty, OHSA 63(1)(a)	$10,750

Accused	Charges Decided Guilty	Total penalty
Transcontinental Printing 2003 Inc.	Guilty, OSGR 2(g) & OSGR 85(2) & OSHA 74(1)(a)	$22,000
Austin Contracting Limited	Guilty, OSHA 15(e) & OSHA 74(1)(a)	$500
Garnet Boutilier, carrying on business in the name and style of A. J. Home Contracting Limited	Guilty, OSHA 15(e) & OSHA 74(1)(a)	$250
Austin Contracting Limited	Guilty, OSHA 15(e) & OSHA 74(1)(a)	$1,000
Raymond John Eddy	Guilty, FPSR 17(2) & OSHA 74(1)(a)	$500
Gateway Materials Limited	Guilty, GBR 8(3) & OSHA 74(1)(a)	$10,005
Gordon Fudge - Class II Blaster, Dyno Nobel Ltd.	Guilty, GBR 8(1) & OSHA 74(1)(a)	$4,950
J.W. Tanner Logging Limited	Guilty, OSHA 13(1)(d) & OSHA 74	$3,900
Scotsburn Cooperative Services Ltd.	Guilty, OSGR 93(3)	$10,000
Brian Hunter	Guilty, FPSR 26(2)(b) & OSHA 17(1)(f) & OSHA 74(1)(a)	$500
Edmond Koleci	Guilty, FPSR 26(2)(b) & OSHA 17(1)(f) & OSHA 74(1)(a)	$575
Jerry Carroll Hatt	Guilty, FPSR 26(2)(b) & OSHA 17(1)(f) & OSHA 74(1)(a)	$300
Jonathan W.A. Myers	Guilty, FPSR 26(2)(b) & OSHA 17(1)(f) & OSHA 74(1)(a)	$300
John Michael Nickerson	Guilty, FPSR 26(2)(b) & OSHA 17(1)(f) & OSHA 74(1)(a)	$300
Wilfred A. Bona	Guilty, FPSR 26(2)(b) & OSHA 17(1)(f) & OSHA 74(1)(a)	$300
3065479 Nova Scotia Ltd. operating as The Spitfire Arms Alehouse and Troy Kirby	Guilty, OHSA 56(3) & OHSA 74(1)(b)(i)	$345
Corey Winter, carrying out business as Newfie Pride Contracting and Trucking	Guilty, FPSR 17(5) & OHSA 74 (1) (a)	$460
Greater Homes Inc. (Glen Arbour Condominiums)	Guilty, OHSA 15(e) & OHSA 74 (1)	$5,580
Douce Holdings Ltd. (Louis Doucet Enterprises Ltd.)	1. Guilty, 13(1) OHSA 2. Guilty, 157(1)b OSGR	$5,000
Dexter Construction Co. Ltd.	Guilty, OHSA 13(2)(d) & OSGR 183 (2) & 74(1)(a)	$15,000
Deep Sea Trawlers, a division of Clearwater Seafoods Ltd.	Guilty, OSGR 14 & OHSA 13 (1) (a) & 74 (1) (a)	$100,000
Ace Towing Ltd.	Guilty, OSGR 73 (4) (b) & OHSA 74 (1) (a)	$5,000
Arthur Frederick Nauss, Nauss Roofing	Guilty, FPSR 7(1)(a)(v) & OHSA 74(1)(a)	$2,300

Guilty Summary Offence Ticket Verdicts

Accused	Charges Decided Guilty	Total penalty
J. W. Burley Ltd., (Canadian Tire)	OHSA 56 (1)	$450
J. W. Burley Ltd., (Canadian Tire)	OHSA 74(1)(b)(i)	$800
Charlton Restaurant Limited (Wendy's Restaurant Bedford)	OHSA 56 (1)	$450
Charlton Restaurant Limited (Wendy's Restaurant Bedford)	OSHA 74 (1) (b) (i)	$800
Enterprise Rent-A-Car Canada Ltd.	OHSA 56 (1)	$450
Enterprise Rent-A-Car Canada Ltd.	OHSA 74(1)(b)	$800
Reitmans	OSHA 74 (1) (b) (i)	$800
Reitmans	OHSA 56 (1)	$450
Keltic Brewing Co. Ltd. (McCeol's Grillhouse)	OHSA 74(1)(b)	$250
J. W. Lindsay Enterprises Ltd.	OHSA 56 (1)	$450
J. W. Lindsay Enterprises Ltd.	OHSA 74(1)(b)	$800
Seal Island Restaurant and Motel Ltd.	OHSA 74(1)(b)(i)	$800
Floyd Johnson doing business in the name and style of F. Johnson Automotive Service	OHSA 56 (1)	$450
HalCraft Printing Ltd. (Brian Arkelian, Vice President)	OHSA 74(1)(b)	$800
HalCraft Printing Ltd. (Brian Arkelian, Vice President)	OHSA 74(1)(b)	$800
S. Allen and Sons Fire Restoration and General Contractors Ltd.	OHSA 56 (1)	$450